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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/796.726

03/09/2004

Ramesh Keshavaraj

5714

1775

7590

11/01/2007

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EXAMINER

ILAN, RUTH

ART UNIT

PAPER NUMBER

3616

MAIL DATE

DELIVERY MODE

11/01/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/796,726

Applicant(s)

KESHAVARAJ, RAMESH

Examiner

Ruth Ilan

Art Unit

3616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-8,10-16,19,22 and 23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,7,8,10,12,14,15,19,22 and 23 is/are rejected.
- 7) ☒ Claim(s) 6,11,13 and 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/15/07 has been entered.

### ***Response to Amendment***

2. The affidavit filed on 10/15/07 under 37 CFR 1.131 is sufficient to overcome the Soriano reference.

### ***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1, 2, 19, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Banba (GB 2 241 207 A) in view of Bauer et al. (US 5,456,493) and Bosgieter et al. (US 6,494,484.) Banba teaches an airbag cushion including a front and rear panel (3a, 3b) with perpendicularly arranged sets of yarns that are woven, and the yarns in the front panel are at a bias to the yarns in the rear panel (see top of page 4.) The airbag of Banba is not non-circular. Bosgieter et al. teaches that using a non-circular configuration is useful because it minimizes fabric waste (see throughout) It would have been obvious to one having ordinary skill in the art at the time of the

invention to modify the airbag of Banba to include a non-circular polygon as the front and rear panel, in order to minimize fabric waste. Banba in view of Bosgieter et al. fails to teach that these panels are connected by a peripheral side panel. Bauer et al. teaches that it is known to provide a rectangular side panel, and that such a panel provides an advantage over airbags that have the front and rear panel sewn directly to each other, in that the use of the side panel provides an elongated shape that allows the airbag to inflate more rapidly and directly toward the occupant into protective cushioning contact so as to reduce the chances that the occupant will be subjected to excessive movement (see abstract, and col. 2, lines 35-38, col. 4, lines 22-35.) In view of the teaching of Bauer it would have been obvious to one having ordinary skill in the art at the time of the invention to include a peripheral side panel between the front and rear panels of Banba in view of Bosgieter et al., in order to provide an elongated shape that allows the airbag to inflate more rapidly and directly, and reduce the chance that the occupant will be subjected to excessive movement.

5. Claims 3-5, 7,8, 10,12, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Banba (GB 2 241 207 A) in view of Bauer et al. (US 5,456,493) and Bosgieter et al. (US 6,494,484) and further in view of Sollars, Jr. (US 5,482,318.) The combination of Banba, Bauer et al. and Bosgieter et al. is discussed above and fails to teach a rectangular or square face and additionally fails to teach rounded corners. Sollars, Jr. teaches a quadrilateral face with rounded corners. Sollars, Jr. teaches that such a configuration is useful for avoiding fabric waste and facilitate pleated corners (see col. 4, lines 43-55.) It would have been obvious to one having ordinary skill in the

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art at the time of the invention to use a quadrilateral face as taught by Sollars, Jr, and the round corners, since Sollars, Jr. teaches that the quadrilateral configuration is useful to minimize fabric waste, and additionally, since the round corners will provide pleats that can deepen the airbag.

***Allowable Subject Matter***

6. Claims 6, 11, 13, and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

7. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth Ilan whose telephone number is 571-272-6673.

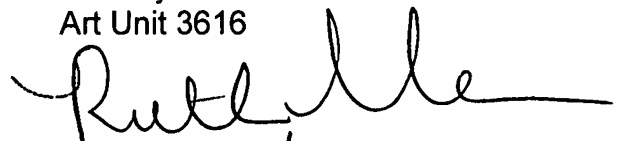
The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ruth Ilan  
Primary Examiner  
Art Unit 3616



10/28/07

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